

Curtis L. McKeithan
Reg. No. 04888-067
F.M.C. Devens, Box 879
Ayer, MA. 01432

October 25, 2004

Ms. Mary E. D'Andrea, Clerk
United States District Court
P.O. Box 983
Harrisburg, Pa. 17108-0983

FILED
HARRISBURG, PA

NOV 02 2004

Re: United States v. Curtis L. McKeithan,
(M.D. Pa. 00-CR-278-01)

CLERK
[Signature]

Dear Ms. D'Andrea:

I am sending you this letter as a follow-up of the August 27, 2004 letter that was mailed to you from the clerk of the United States Court of Appeals for the Third Circuit. (Copy attached). This letter addressed the fact that I had filed a notice of appeal, in relation to my pleading pursuant to 28 U.S.C. § 2255 that was denied, after an evidentiary hearing in the district court.

I am interested in the current status of this pleading, and would like to know if the matter has been transferred back to the court of appeals upon a denial of a COA in the district level. If the district court has not yet denied me a COA, I would respectfully ask that I can file a memorandum in support of issuing a COA in the district court.

I do most sincerely thank you in advance for your time and assistance in these regards.

Sincerely,

[Signature]
Curtis L. McKeithan,

CLM/me

CLERK

OFFICE OF THE CLERK
FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790

215-597-1111

August 27, 2004

Mary E. D'Andrea, Clerk
United States District Court
P.O. Box 983
Harrisburg, PA 17108-0983

Re: United States v. McKeithan
(M.D. Pa. No. 00-cr-278-01)

Dear Ms. D'Andrea:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, and Rule 3.4, Third Circuit Local Appellate Rules, we are forwarding the attached notice of appeal which was apparently filed with this office in error. See Rule 3(a)(1), Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. The notice was postmarked July 20, 2004.

This document is being forwarded solely to protect the litigant's right to appeal as required by the Federal Rules of Appellate Procedure. Upon receipt of the document, kindly process it according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Bradford A. Baldus
Bradford A. Baldus
Senior Legal Advisor to the Clerk

Enclosure

cc: Curtis McKeithan (w/out enclosure)

LEGAL MAIL

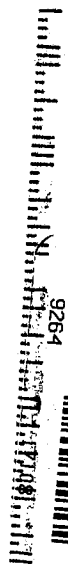
Curtis L. McKeithan
REG. No. 04838-067
F.M.C. Devens, Box 879
Ayer, MA. 01432

CERTIFIED MAIL™

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United States District Court
P.O. Box 983
Harrisburg, Pa. 17108-0983

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